

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JIM JONES, et al.,**

**Plaintiffs,**

**vs.**

**JOHN GALE, et al.,**

**Defendants.**

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**8:04CV645**

**ORDER**

Now pending before the court is plaintiffs' MOTION TO EXTEND TIME TO FILE A MOTION FOR SUMMARY JUDGMENT AND TO CONSOLIDATE BRIEFING (Filing 73). The plaintiffs also request an extension of time to respond to defendants' pending Motion for Summary Judgment (Filing 68). The defendants object to an extension. *See* Filing 49.

After a conference in chambers on June 13, 2005, all parties were given an extension of time to August 4, 2005 to complete the discovery necessary to file motions for summary judgment. The parties were order to file their motions for summary judgment by September 6, 2005. *See* Filing 54 (minute entry). The pending request for an extension is based on the early filing of defendants' Motion for Summary Judgment (Filing 68) on August 1, 2005, unspecified "delays in the discovery process," and the upcoming Labor Day holiday.

I find that the plaintiffs have not shown good cause for the requested extension of time.

**IT IS ORDERED** that plaintiffs' MOTION TO EXTEND TIME TO FILE A MOTION FOR SUMMARY JUDGMENT AND TO CONSOLIDATE BRIEFING (Filing 73) is denied.

Pursuant to NECivR 72.2, a party may appeal this order by filing a "Statement of Appeal of Magistrate Judge's Order" within ten (10) days after being served with the order. The party shall specifically state the order or portion thereof appealed from and the basis of the appeal. The appealing party shall file contemporaneously with the statement of appeal a brief setting forth the party's arguments that the magistrate judge's order is clearly erroneous or contrary to law. **The filing of a statement of appeal does not automatically stay the magistrate judge's order pending appeal.** *See* NECivR 72.2(d).

**DATED August 9, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**